

Docket No.: 1718-0228PUS2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nils-Gunnar JOHANSSON et al.

Application No.: 11/973,681

Confirmation No.: 1903

Filed: October 10, 2007

Art Unit: 1623

For: ANTIVIRAL NUCLEOSIDES

Examiner: Traviss C MACINTOSH III

SUMMARY OF THE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 26, 2009

Madam:

In response to the Office Action issued June 1, 2009, which provided the Examiner's Interview Summary, the following remarks are respectfully submitted in connection with the above-identified application.

Remarks begin on page 2.

REMARKS

Applicants first thank the Examiner for taking the time to engage in an Interview in an effort to move the instant application forward.

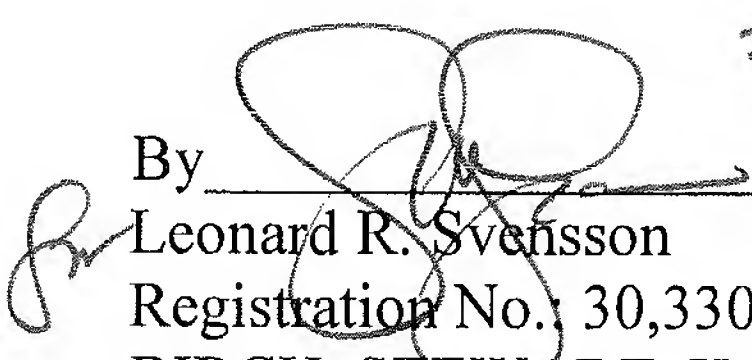
Applicant's representative participated in a telephonic Interview with the Examiner on May 20, 2009. The Interview focused on the combination of Klumpp, Carroll and US 7,456,155 and the fact that the compounds cited in the art were all ribose compounds which had the 2'-hydroxy group present, unlike the instantly claimed compounds which are 2'-deoxy. The disclosure of paragraphs [0160] and [0162] which show that the claimed compounds have a greater half-life compared to analogous 2'-methyl compounds was also discussed. While the Examiner stated that a further search would need to be conducted, he agreed that there would be not be any motivation for the skilled artisan to modify the compounds 2'-hydroxy compounds to the claimed 2'-deoxy compounds.

Should the Examiner have any questions concerning this application, the Examiner is requested to contact Susan Gorman (Reg. No. 47,604) at the telephone number of the undersigned to discuss the case or schedule an Interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: June 26, 2009

Respectfully submitted,

By  #47,604
Leonard R. Svensson
Registration No. 30,330
BIRCH, STEWART, KOLASCH & BIRCH, LLP
12770 High Bluff Drive
Suite 260
San Diego, California 92130
(858) 792-8855
Attorney for Applicant